



Entered on Docket
November 25, 2009

A handwritten signature in black ink, appearing to read "R. Biegel".

Hon. Linda B. Riegle
United States Bankruptcy Judge

AARON & PATERNOSTER, LTD.
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UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA

In re:) BK-S- 09-23792-LBR
HAROLD SMITH and ROSA SMITH,) Chapter 13
Debtors.)
Hearing Date: 11/19/09
Hearing Time: 2:30 P.M.

ORDER GRANTING OBJECTION TO PROOF OF CLAIM 16-1

The Motion of Debtors, HAROLD SMITH and ROSA SMITH, objecting to Proof of Claim 16-1 filed by SAXON MORTGAGE SERVICES, INC., having come on regularly for hearing on the 19TH day of November, 2009, at 2:30 p.m., and with CHARLES GEISENDORF, ESQ. of AARON AND PATERNOSTER LTD., appearing for Debtors and, pursuant to notice duly given, no opposition being filed by the Trustee or by creditors and the Court having heard the representations of counsel, and having reviewed the moving papers on file herein, and good cause appearing therefor,

The Court finds as follows:

1. That Debtor's objection to SAXON MORTGAGE SERVICES, INC.'S Proof of Claim 16-1 for \$317,448.56 was granted and since SAXON MORTGAGE SERVICES, INC.'S claim was not substantiated,

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1 IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the Trustee is directed not to
2 disburse any funds to this claim through the Debtor's Chapter 13 plan until SAXON MORTGAGE
3 SERVICES, INC. amend their proof of claim, clarify and itemize arrearages, attorney fees and costs.

4 Dated: November 20, 2009

5 AARON & PATERNOSTER, LTD.

6 By: /s/ MATTHEW AARON
7 MATTHEW E. AARON, ESQ.
8 Nevada Bar #004900
9 2300 W. Sahara #650, Box 30
Las Vegas, NV 89102
Attorney for Debtor(s)

10 In accordance with LR 9021, counsel submitting this document certifies as follows (check
one):

11 The court has waived the requirement of approval under LR 9021.

12 No parties appeared or filed written objections, and there is no trustee appointed in the case.

13 X I have delivered a copy of this proposed order to all counsel who appeared at the hearing,
any unrepresented parties who appeared at the hearing, and any trustee appointed in this case, and
each has approved or disapproved the order, or failed to respond, as indicated below [list each
party and whether the party has approved, disapproved, or failed to respond to the document]:

14 Submitted by: AARON & PATERNOSTER LTD.

15 By:/s/ Matthew Aaron, Esq.
16 Matthew E. Aaron, Esq.
17 Nevada Bar #004900

18 CHAPTER 13 TRUSTEE

19 Approved/Disapproved/Failed to Respond

20 By: _____
21 Rick Yarnall, Trustee

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27 No appearance on behalf of SAXON MORTGAGE SERVICES, INC.

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